

BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney  
SARA WINSLOW (DCBN 457643)  
Chief, Civil Division  
JONATHAN U. LEE (CSBN 148792)  
Assistant United States Attorney

1301 Clay Street, Suite 340S  
Oakland, California 94612-5217  
Telephone: (510) 637-3680  
Fax: (510) 637-3724  
Jonathan.Lee@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JAMES L. DYE,

Plaintiffs,

v.

UNITED STATES GOVERNMENT,

Defendants.

CASE NO. 16-CV-06882 KAW

**STIPULATION AND [PROPOSED] ORDER  
ENLARGING TIME FOR THE PLAINTIFF'S  
OPPOSITION TO MTD AND CONTINUING  
CASE MANAGEMENT CONFERENCE  
AS MODIFIED**

**STIPULATION**

BY AND THROUGH THEIR ATTORNEYS OF RECORD, THE PARTIES ENTER INTO  
THE FOLLOWING STIPULATION AND RESPECTFULLY REQUEST ENTRY OF THE  
PROPOSED ORDER BY THE COURT:

WHEREAS, Plaintiff James L. Dye filed this action on November 30, 2016 (ECF No. 1);

WHEREAS, Plaintiff completed service of the summons and complaint on the Federal  
Defendants on August 29, 2017 by delivering the summons and complaint to the U.S. Attorney's Office  
(ECF No. 12);

1 WHEREAS, under Federal Rule of Civil Procedure 12, the Federal Defendants have filed their  
2 initial responsive pleading on October 27, 2017; and

3 WHEREAS, the Plaintiff requested an extension of time to file the opposition to the Defendant's  
4 Motion to Dismiss and all parties have agreed as set forth below:

- 5 1) the Plaintiff's opposition must be filed on or before December 12, 2017;  
6 2) the Defendant's reply must be filed on or before December 22, 2017;  
7 3) the parties request a postponement of the Motion Hearing to January 18, 2018; and February 20,  
8 4) the parties request a postponement of the initial Case Management Conference to ~~January 23,~~  
9 2018 at 1:30 p.m., with a joint case management conference statement due one week before the  
10 rescheduled conference.

11 IT IS SO STIPULATED.

12 DATED:

13  
14 By: \_\_\_\_\_  
JAMES L. DYE, Pro Se Plaintiff

15  
16 DATED:

BRIAN J. STRETCH  
United States Attorney

18 /s/ Jonathan U. Lee  
19 JONATHAN U. LEE  
20 Assistant United States Attorney  
Attorneys for the United States of America

1  
2 **[PROPOSED] ORDER**

3 PURSUANT TO STIPULATION, IT IS SO ORDERED.

4 Dated: 11/16/17

5  
6   
7 THE HONORABLE KANDIS A. WESTMORE